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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,304	12/02/2003	Sabrina Tai-Chen Yeh	40000-0045	5222
20480	7590	01/10/2008		
STEVEN L. NICHOLS RADER, FISHMAN & GRAVER PLLC 10653 S. RIVER FRONT PARKWAY SUITE 150 SOUTH JORDAN, UT 84095			EXAMINER BOSS, BROCK N	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/727,304	YEH ET AL.	
	Examiner	Art Unit	
	Brock N. Boss	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-84 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-84 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/02/2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/02/2003, 4/30/2007</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-84** are rejected under 35 U.S.C. 102(b) as being unpatentable over Yap et al. (US Patent Publication 2002/0040475).

Regarding **claims 1, 18, 36, 52, 68, and 70**; Yap discloses a user interface, processor-readable instructions stored on a processor-readable medium providing an on-screen user interface, a method of operating a user interface, and a user interface system for a television set and/or video display device connected to at least one recording device and at least one source of audiovisual programming, said user interface comprising: a first window (see Figure 2, element 271 and/or 272) associated with a source of audiovisual programming (see page 14, paragraph 199); and a second window (see Figure 2, element 272 and/or 271) associated with a connected recording device (see pages 13-14, paragraph 198); wherein said first window displays said audiovisual programming from said source of audiovisual programming (see page 14, paragraph 199). With respect to claim 70, Yap discloses an input device (see page 12, paragraph 186).

Regarding **claims 2, 19, 37, 53, 69**; Yap discloses everything as claimed above. In

addition, Yap discloses the user interface, wherein said recording device is also a second source of audiovisual programming and said audiovisual programming from said recording device is displayed in said second window and/or first window (see page 14, paragraph 208). With respect to claim 69, Yap discloses means for displaying an electronic programming guide for said source of audiovisual programming in said first window (see page 12, paragraph 186).

Regarding **claims 3, 21, 39, 55, 74**; Yap discloses everything as claimed above. In addition, Yap discloses the user interface, further comprising controls for controlling said connected recording device (see page 8, paragraph 126) (see also page 10, paragraphs 149-150) (see page 7, paragraph 110).

Regarding **claims 4, 22, 40, 56, 75**; Yap discloses everything as claimed above. In addition, Yap discloses the user interface, further comprising a status identifier for identifying a current operation being performed by said connected recording device (see page 13, paragraphs 196-197 and TABLE 1).

Regarding **claims 5, 23, 41, 57, 76**; Yap discloses everything as claimed above. In addition, Yap discloses the user interface, wherein, when said controls are used to send a record command to said connected recording device (see page 8, paragraph 126), said connected recording device automatically records said audiovisual programming being displayed in said first window (see page 14, paragraph 199).

Regarding **claims 6, 24, 42, 58, 72** Yap discloses the user interface of claim 5, wherein, while said connected recording device is recording, said audiovisual programming is also displayed in said second window and/or first window (see page 14, paragraph 199).

Regarding **claims 7, 25, 43, 59, 77**; Yap discloses the user interface of claim 3, wherein multiple recording device are connected (see Figure 2, elements 205 and 255) (see page 10, paragraphs 152-154) (see also page 7, paragraph 107) (see also Figure 8, element 320), said controls further comprising controls for selecting a recording device to be associated with said second window and controlled through said user interface (see page 10, paragraph 151) (see also page 10, paragraph 150).

Regarding **claims 8, 26, 44, 60, 78**; Yap discloses the user interface, further comprising a device identifier for identifying (see page 8, paragraph 127) which connected recording device is currently associated with said second window (see page 10, paragraph 156).

Regarding **claims 9, 28, 46, 62, 80**; The user interface of claim 1, further comprising an identifier identifying (see page 8, paragraph 127) said source of audiovisual programming, with multiple sources of audiovisual programming being available (see page 10, paragraph 156).

Regarding **claims 10, 27, 45, 61, 77**; The user interface of claim 9, further comprising controls associated with said first window for selecting and controlling said source of audiovisual programming associated with said first window (see page 8, paragraph 126) (see also

page 10, paragraphs 149-150).

Regarding **claims 11, 29, 47, 63, and 75**; Yap discloses everything as claimed above. In addition, Yap discloses the user interface, further comprising a status identifier identifying a current operation being performed by said source of audiovisual programming (see page 8, paragraph 126) (see also page 10, paragraphs 149-150).

Regarding **claims 12, 30, and 81**; Yap discloses everything as claimed above. In addition, Yap discloses the user interface, wherein said at least one recording device is connected to said television set with an IEEE 1394 pathway (see page 7, paragraph 108) (see also Figure 2 and Figure 8) (see also page 10, paragraph 159).

Regarding **claims 13, 31, and 84**; Yap discloses everything as claimed above. In addition, Yap discloses the user interface, wherein said recording device is a memory card (see page 10, paragraph 158).

Regarding **claim 14** Yap discloses a user interface for a television set connected to at least one recording device and at least one source of audiovisual programming, said user interface comprising: a first window (see Figure 2, element 272 and/or 271) associated with a source of audiovisual programming; and a second window (see Figure 2, element 272 and/or 271) associated with a connected recording device; wherein said first window displays an electronic program guide for said source of audiovisual programming (see pages 13-14,

paragraph 198-199), and said second window lists programs selected by a user from said electronic program guide (see pages 12-13, paragraphs 186-187).

Regarding **claim 15** Yap discloses everything as claimed above. In addition, Yap discloses the user interface, wherein said connected recording device associated with said second window automatically records said programs selected by a user from said electronic program guide (see pages 12-13, paragraphs 186-187).

Regarding **claim 16** Yap discloses everything as claimed above. In addition, Yap discloses the user interface, wherein multiple recording devices are connected (see Figure 2, elements 205 and 255) (see page 10, paragraphs 152-154) (see also page 7, paragraph 107) (see also Figure 8, element 320) and said user interface comprises controls for selecting which recording device is associated with said second window (see page 10, paragraph 151) (see also page 10, paragraph 150).

Regarding **claim 17** Yap discloses everything as claimed above. In addition, Yap discloses the user interface, wherein multiple sources of audiovisual programming are connected and said user interface comprises controls for selecting which source of audiovisual programming is associated with said first window (see page 8, paragraph 127).

Regarding **claim 32, 48**; Yap discloses the video display device of claim 18. In addition Yap discloses the device wherein said first window displays an electronic program guide for said

source of audiovisual programming associated with said first window, and said second window lists programs selected by a user from said electronic program guide (see pages 12-13, paragraphs 186-187).

Regarding **claim 33, 49**; Yap discloses everything as claimed above. In addition Yap discloses the video display device and method, wherein said connected recording device associated with said second window automatically records said programs selected by a user from said electronic program guide (see pages 12-13, paragraphs 186-187).

Regarding **claim 34, 50**; Yap discloses everything as claimed above. In addition Yap discloses the video display device and method wherein multiple recording devices are connected and said user interface comprises controls for selecting which recording device is associated with said second window (see page 8, paragraph 127).

Regarding **claim 35, 51**; Yap discloses everything as claimed above. In addition Yap discloses the video display device and method wherein multiple sources of audiovisual programming are connected and said user interface comprises controls for selecting which source of audiovisual programming is associated with said first window (see page 8, paragraph 127).

Regarding **claim 54**, Yap discloses everything as claimed above. In addition Yap discloses the video display device and method wherein said connected recording device is also a second source of audiovisual programming, and said method comprises displaying audiovisual

programming from said recording device in said second window (see pages 12-13, paragraphs 186-187).

Regarding **claim 64**, Yap discloses everything as claimed above. In addition, Yap discloses the method, further comprising: displaying in said first window an electronic program guide for said source of audiovisual programming associated with said first window; and displaying in said second window a list of programs selected by a user from said electronic program guide (see pages 12-13, paragraphs 186-187).

Regarding **claim 65**, Yap discloses everything as claimed above. In addition, Yap discloses the method, further comprising automatically recording said programs selected by a user from said electronic program guide with the connected recording device associated with said second window (see pages 12-13, paragraphs 186-187).

Regarding **claim 66**, Yap discloses everything as claimed above. In addition, Yap discloses the method, wherein multiple recording devices are available (see Figure 2, elements 205 and 255) (see page 10, paragraphs 152-154) (see also page 7, paragraph 107) (see also Figure 8, element 320), said method further comprising selecting which recording device is associated with said second window using controls of said user interface (see page 10, paragraph 151) (see also page 10, paragraph 150).

Regarding **claim 67**, Yap discloses everything as claimed above. In addition, Yap

discloses the method, wherein multiple sources of audiovisual programming are available, said method further comprising selecting which source of audiovisual programming is associated with said first window using controls of said user interface (see page 8, paragraph 127).

Regarding **claim 71**, Yap discloses everything as claimed above. In addition, Yap discloses the device of claim 70, wherein said first window displays said audiovisual programming from said source of audiovisual programming (see page 14, paragraph 199).

Regarding **claim 73**, Yap discloses the device of claim 70. In addition, Yap discloses the device, wherein said user input device comprises a remote control unit (see page 4, paragraph 41).

Regarding **claim 82**, Yap discloses everything as claimed above. In addition, Yap discloses the device, wherein said audiovisual device is a computer (see page 15, paragraph 222).

Regarding **claim 83**, Yap discloses everything as claimed above. In addition, Yap discloses the device, wherein said audiovisual device is a television set (see page 15, paragraph 222).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brock N. Boss whose telephone number is (571) 270-1660. The examiner can normally be reached on Monday-Thursday 9:30-7:30 Eastern Standard Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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12/30/2007



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